

REMARKS

By this amendment claim 2 has been amended. Claim 6 has been cancelled. Claims 1-5 remain in the application. Applicant reserves the right to pursue the original claims and other claims in this and other applications.

Claims 1 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Mochizuki (U.S. Patent No. 6,097,814) in view of Tognazzini (U.S. Patent No. 6,0600,713). Reconsideration is respectfully requested.

Claim 1 recites an optical recording medium wherein “updated software is stored first in ... said computer, and subsequently in said optical recording medium.” (Emphasis added.) As noted in the Office Action, Mochizuki does not teach or suggest such a limitation. Nor does Tognazzini teach or suggest this limitation. Tognazzini teaches “CPU 400 then causes the inputs or monitored information to be transferred from RAM 410B to read/write part 102 of disk 100 (step S506).” Col. 6, ln. 12-14. The monitored information is pre-recorded on the disk (Col. 6, ln. 4-7), and therefore does not read on “updated software.” The inputs also do not read on “updated software,” since they are generated by a user “indicating a preferred customization for the reading of information pre-recorded in the read-only part 101 of the disk” (Col. 5, ln. 62-65), and are not, therefore, updated software. As such, the limitation wherein “updated software is stored first in ... said computer, and subsequently in said optical recording medium” is not taught or suggested by Mochizuki or Tognazzini. Since Mochizuki and Tognazzini do not teach or suggest all the limitations of claim 1, claim 1 and dependent claim 4 are not obvious over the cited references. Applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of these claims be withdrawn.

Claims 2, 3, 5, and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mochizuki in view of Tognazzini in view of Shaw (U.S. Patent No. 6,381,741). Reconsideration is respectfully requested.

As discussed above regarding the patentability of claim 1, claim 2, as amended, and claims 3 and 5 also recite, in part, “updated software is stored first in ... said computer, and subsequently in said optical recording medium.” (Emphasis added.) None of Mochizuki, Tognazzini, or Shaw teaches or suggests this limitation. Since Mochizuki, Tognazzini, and Shaw do not teach or suggest all the limitations of claims 2-3 and 5, claims 2-3 and 5 are not obvious over the cited references. Applicant respectfully requests that the 35 U.S.C. § 103(a) rejection of these claims be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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